

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MARCO SOARES DE BARROS,

Petitioner,

v.

JOSEPH D. MACDONALD, JR., Sheriff,
Plymouth County Correctional Facility, and
ANTONE MONIZ, Superintendent,
Plymouth County Correctional Facility,

Respondent.

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Civil Action No. 18-cv-10552-IT

ORDER OF DISMISSAL

April 27, 2018

TALWANI, D.J.

The court hereby ALLOWS Respondent Antone Moniz's¹ Assented-To Motion to Dismiss for Lack of Jurisdiction [#8]. According to the Declaration of Assistant Field Office Director Alan Greenbaum [#12], Petitioner Marco Soares De Barros has been released from Immigration and Customs Enforcement ("ICE") custody. Moniz contends that the Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241 [#1], challenging Soares De Barros's ICE detention, is now moot. Because Soares De Barros has assented to Moniz's motion, the Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241 [#1] is DISMISSED. This case is CLOSED.

IT IS SO ORDERED.

/s/ Indira Talwani
United States District Judge

¹ Although Sheriff Joseph D. MacDonald, Jr., is also named as a respondent, Moniz is the only proper respondent in this action. See Rumsfeld v. Padilla, 542 U.S. 426, 439 (2004).